

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
Atlanta Division**

IAN BRUCE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.
	)	
HAPPY MONEY INC.	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

Defendant, Happy Money, Inc., by counsel and pursuant to 28 U.S.C. §§ 1331 and 1446, serves this Notice of Removal of the Complaint filed by Ian Bruce in the Superior Court of Gwinnett County, Georgia, styled as *Bruce v. Happy Money, Inc.*, No. 24-A—07091-9 (Ga. Super.) (“State Case”). Happy Money states the following in support of this Notice of Removal:

1. Bruce filed the Complaint in the State Case on August 12, 2024. *See* Complaint, attached as **Exhibit 1**. He seeks injunctive and declaratory relief concerning Happy Money’s alleged violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* (“FCRA”) and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”). *See* Ex. 1, at ¶¶ 35–38.
2. Bruce served the Complaint on Happy Money through a process server on October 3, 2024. *See* Notice of Service, attached as **Exhibit 2**.

3. The deadline for Happy Money to file a notice of removal is November 2, 2024. *See* 28 U.S.C. § 1446(b).<sup>1</sup>

4. This Court has “original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. This Court determines if it has so-called “federal question” jurisdiction by following the “well-pleaded complaint rule, which provides that federal jurisdiction exists only when a federal question is presented on the face of the plaintiff’s properly pleaded complaint.” *Delaugher v. Colonial Pipeline Co.*, 360 F. Supp. 3d 1372, 1376 (N.D. Ga. 2018) (quoting *Behlen v. Merrill Lynch*, 311 F.3d 1087, 1090 (11th Cir. 2002) (other citation omitted)).

5. Bruce purports to state claims under two federal statutes: the FCRA and the FDCPA. His Complaint is replete with descriptions of those statutes and accompanying regulations, attempts to explain their meaning, and claims that Happy Money violated them. *See* Ex. 1, at ¶¶ 1, 6, 14, 17–20, 22–26, 27, 35–36. These allegations implicate this Court’s jurisdiction under 28 U.S.C. § 1331. *See Levine v. Everbank FSB*, No. 1:17-CV-00826-SCJ-CMS, 2017 U.S. Dist. LEXIS 214540, at \*9 (N.D. Ga. May 5, 2017) (stating that a plaintiff’s FDCPA claims “clearly arise under the laws of the United States, and therefore, this Court had federal question

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<sup>1</sup> The same deadline applies to Happy Money’s responsive pleadings in State Court. *See* Ga. Code Ann. § 9-11-12(a) (stating that a defendant has 30 days from the date of service to file its responsive pleadings to a complaint).

jurisdiction.”); *see also Brooks v. Experian Info. Sols., Inc.*, No. 1:23-CV-4257-MLB-JSA, 2023 U.S. Dist. LEXIS 236161, at \*5 (N.D. Ga. Nov. 28, 2023) (reaching the same conclusion when a plaintiff invoked FCRA in his state court complaint).

6. This Court is the federal judicial district and division embracing the Superior Court for Gwinnett County, Georgia, where the State Case is now pending.

7. Happy Money is the only defendant named or served in the State Case.

8. By removing this matter, Happy Money does not concede that it is a proper party, waive any of its available defenses, challenges to this Court’s subject matter jurisdiction, its right to move to compel arbitration, or admit any of the allegations in the Complaint. In short, Happy Money reserves its defenses and motions to the Complaint.

9. Happy Money is simultaneously filing a Notice of Filing with the Gwinnett County Superior Court, notifying it of this Notice of Removal.

Accordingly, Happy Money respectfully requests that the above-titled action be removed from the Superior Court of Gwinnett County, Georgia to the United Stated District Court for the Northern District of Georgia, Atlanta Division.

Dated: November 1, 2024

Respectfully submitted,

HAPPY MONEY, INC.

By Counsel

/s/ Joelle C. Sharman

Joelle C. Sharman (GA Bar No. 637931)

O'HAGAN MEYER

555 North Point Center East, 4th Floor

Alpharetta, Georgia 30022

Telephone: (470) 973-6401

*jsharman@ohaganmeyer.com*

and

Charles K. Seyfarth (*pro hac vice* forthcoming)

C. Quinn Adams (*pro hac vice* forthcoming)

Tyler J. Miko (*pro hac vice* forthcoming)

O'HAGAN MEYER

411 East Franklin Street, Suite 500

Richmond, Virginia 23219

Telephone: (804) 403-7137

Facsimile: (804) 237-0250

*cseyfarth@ohaganmeyer.com*

*cadams@ohaganmeyer.com*

*tmiko@ohaganmeyer.com*

*Counsel for Happy Money, Inc.*

**CERTIFICATE OF TYPE SIZE COMPLIANCE**

I hereby certify that pursuant to Local Rule 5.1, the foregoing pleading is prepared in Times New Roman, 14 point.

This 1st day of November, 2024.

/s/ Joelle C. Sharman

Joelle C. Sharman

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of November 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Additionally, a copy of this Notice of Removal was mailed by U.S. Mail, postage prepaid, to the address listed for the *pro se* Plaintiff, Ian Bruce, in his Complaint:

Ian Bruce  
267 Langley Drive, #1267  
Lawrenceville, GA 30046

/s/ Joelle C. Sharman  
*Counsel for Happy Money*